

PETITION UNDER 37 CFR 1.181 FOR THE DIRECTOR
TO EXAMINE HIS SUPERVISORY AUTHORITY
(MPEP 1002.02(b)(3))

Filed Via EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the above identified application, the issue fee was paid and received by the Office of Initial Patent Examination (OIPE) on December 23, 2005. A review of the allowed claims subsequent thereto uncovered the fact that Claim 6 included a double recitation of the phrase “two compartments within said plastic block” due to a typographical error. An amendment to correct this error was prepared and mailed December 27, 2005 and received by the OIPE on January 3, 2006.

During a recent online investigation of the status of this application, it was learned that the status was “Awaiting TC Resp, Issue Fee Payment Verified”. As this status was not fully understood by the undersigned, attempts were made to discuss this matter with Examiner Horton. During a telephone interview with Examiner Horton on July 31, 2006, she indicated that the Amendment filed would not be entered as it was made after payment of the issue fee. Moreover, she suggested that the amendment be filed under 37 CFR 1.312. During this interview, Examiner Horton indicated that she would approve the amendment to Claim 6 to

correct the typographical error.

Filed herewith is a document entitled "Amendment Under Rule 37 CFR 1.312" setting forth the claims as filed on July 3, 2006 and allowed, which Amendment corrects the typographical error in Claim 6.

Applicant petitions the Director to exercise his supervisory authority to set aside the practice of not accepting amendments after payment of the issue fee, as set forth in MPEP § 714.16(II), and allow entry of the amendment to Claim 6.

Charge any additional fees or credit any overpayments to Deposit Account 03-0088.

Respectfully Submitted,

CAHILL, VON HELLENS & GLAZER P.L.C.

A handwritten signature in dark ink, appearing to read "C. Robert von Hellens", is written over a faint, circular embossed seal of the United States Patent and Trademark Office.

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